



Patent Application No. 10/049,438
Docket No. : 11197/7

171318
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: Takahiro Nakajima, et al.
Group Art Unit: 1713
Application No.: 10/049,438
Examiner: Rip A. Lee
Filed: May 30, 2002
Docket No.: 11197/7
For: A POLYESTER POLYMERIZATION CATALYST,
POLYESTER PRODUCED BY USING THE SAME, AND A
PROCESS FOR PRODUCING POLYESTER

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

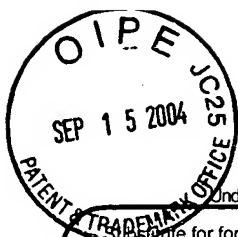
Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

☐ 1. This Information Disclosure Statement is being filed (a) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), (b) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, (c) before the mailing date of a first Office Action on the merits in the present application, OR (d) before the mailing of a first office action after filing of a request for continued examination. No certification or fee is required.

09/16/2004 FFANAI2 00000081 110600 10049438

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PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Use for form 1449A/PTO

**SUPPLEMENTAL
INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number	10/049/438
Filing Date	May 30, 2002
First Named Inventor	Takahiro NAKAJIMA, et al.
Group Art Unit	1755
Examiner Name	Rip A. Lee
Attorney Docket Number	11197/7

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US 6,156,867	12/05/2000	Aoyama et al.	Corresponds to CN 1220677

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	2	JP46-5395	11-29-1971	IMPERIAL CHEM IND LTD		ABS, EXAMPLE TABLE
	3	JP 2000-302854	10-31-2000	TOYOBO CO LTD		PARTIAL ENGLISH TRANSLATION
	4	CA 2,253,515	10-01-1998	TORAY IND INC.,P		ABS
	5	EP 0 768 319 A1	04-16-1997	NIPPON OIL CO. LTD.		

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

	6	The Specification and claims of U.S. Application No.09/830,223, filed 11/18/03	
	7	The Specification and Claims of U.S Application No. 10/186,634, filed 07/02/02	
	8	The specification and claims of U.S. Application No. 10/169,491, filed 07/03/02	
	9	The Specification and claims of U.S. Application No. 10/363,648, filed 03/04/03	

Examiner
SignatureDate
Considered

¹ EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

X 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

X c. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

☐ 3. This Information Disclosure Statement is being filed after the mailing date of a final action, Notice of Allowance or an action that otherwise closes prosecution, but before payment of the Issue Fee. Applicant(s) hereby request(s) that the Information Disclosure Statement be considered. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in any counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☐ 4. Relevance of the non-English language reference(s) is discussed in the present specification.

☐ 5. The reference(s) was/were cited in a counterpart foreign application. An English language version of the foreign search report is attached for the Examiner's information.

☐ 6. A concise explanation of the relevance of the non-English language reference(s) appears in the Appendix attached hereto.

☐ 7. The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed, which is directed to related technical subject matter. The identification of this

U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination of the present application.

☐ 8. This application is one of a series of related applications, identified in the attached Appendix, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the art cited therein during the examination.

☐ 9. The reference(s) was/were cited by or submitted to the Office in parent application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. §120. Thus, copies of these references are not attached. 37 CFR §1.98(d).

☒ 10. English-language Abstracts of the non-English language references are attached hereto. In addition, copies of the specifications and claims of co-pending U.S. applications having some claims are enclosed (Items 6-9).

☐ 11. Since this application was filed after June 30, 2003, copies of U.S. references are not included.

☒ 12. Other. Applicants request that the Examiner indicate that he has considered EP 0768319 A1 cited in the IDS filed July 1, 2003, which was crossed out by the Examiner as indicated in the Office Action of March 22, 2004. The Examiner's attention is directed to co-pending U.S. Patent Application Nos. 09/830,223, 10/169,491, 10/186,634, and 10/363,648, which are directed to related technical subject matter.

Copies of the Specifications and Claims of these co-pending U.S. applications are enclosed (see cite nos. 6-9). Some of the claims in these co-pending U.S. applications might have been rejected. Provided herein are Copies of the Office Actions mailed July 11, 2003 of Application No. 10/186,634, filed July 2, 2002; Office Action mailed April 22, 2004 of Application No. 10/169,491, filed July 3, 2002; Office Action mailed August 5, 2003, of Application No. 09/830,223, filed November 18, 2003; Office Action mailed October 21, 2002 of Application No. 09/830,223, filed November 18, 2003; Office Action mailed October 23, 2003 of Application No. 09/830,223, filed November 18, 2003; and Office Action mailed May 28, 2004 of Application No. 09/830,223, filed November 18, 2003.

Respectfully submitted,

KENYON & KENYON

Date: September 15, 2004

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